



Driving progress
through partnership

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October 1, 2020

Via ECF

Hon. Louis L. Stanton
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: *Dresser-Rand Co. v. Petróleos de Venezuela, S.A., et al*, No. 19-cv-02689-LLS

Dear Judge Stanton:

We represent plaintiff Dresser-Rand Company (“D-R”) in the above-referenced action. We write on behalf of D-R and defendant Petróleos de Venezuela, S.A. (“PDVSA”), and in reference to D-R’s letter dated September 28, 2020 (the “Pre-Motion Letter”) [ECF No. 96] requesting a pre-motion discovery conference to move for a protective order regarding PDVSA’s Notice of Deposition and Request for Documents (the “Notice and Requests”) [ECF 96-1].

After D-R filed the Pre-Motion Letter, the parties conferred for a second time and reached the following agreement:

- PDVSA agrees to defer the discovery sought in the Notice and Requests (i.e., the deposition of D-R’s General Counsel and any related document requests) until after D-R’s Fed R. Civ. P 30(b)(6) (“Rule 30(b)(6)”) deposition on October 9, 2020.
- If PDVSA obtains sufficient information from D-R’s Rule 30(b)(6) representative, PDVSA will withdraw the Notice and Requests. If, however, PDVSA still seeks additional discovery from D-R after the Rule 30(b)(6) deposition, it will continue to seek discovery pursuant to the Notice and Requests.
- D-R hereby withdraws the Pre-Motion Letter without prejudice and with a full reservation of rights. Thus, if PDVSA elects to seek the discovery sought in the Notice and Requests from D-R after the Rule 30(b)(6) deposition, D-R reserves the right to renew its request to seek a protective order.
- If PDVSA elects to seek the discovery sought in the Notice and Requests from D-R after D-R’s Rule 30(b)(6) deposition, D-R agrees to extend the October 9, 2020 fact discovery deadline by a reasonable amount of time solely in order to address the discovery sought in the Notice and Requests. PDVSA reserves its right to seek an extension of the fact discovery deadline, if necessary, to also complete the discovery that is currently outstanding in this matter. D-R reserves its rights in connection with any such application by PDVSA.

We thank the Court for its time and attention to this matter.

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Respectfully submitted,

/s/ Jordan W. Siev

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cc: All Counsel of Record (*via ECF*)